

UNITED STATES DISTRICT COURT

Southern

District of

New York

MICHAEL COLEMAN,

SUMMONS IN A CIVIL ACTION

V.

BRIAN FISCHER, et al.

CASE NUMBER:

TO: (Name and address of Defendant)

John Martinez

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Emery Celli Brinckerhoff & Abady LLP
75 Rockefeller Plaza, 20th Floor
New York, NY 10019

an answer to the complaint which is served on you with this summons, within -20- days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

(By) *[Signature]*
DEPUTY CLERK

DATE

APR 25 2008

UNITED STATES SOUTHERN DIST. COURT - NEW YORK COUNTY

MICHAEL COLEMAN,
PLAINTIFF

- vs. -

BRIAN FISCHER, ET AL,
DEFENDANT

Index No: **07-cv-7790 (SAS)**
Date Filed: **04/25/2008**
Office No:
Court Date: **N/A**

STATE OF NEW YORK COUNTY OF NEW YORK :SS:

WILLEM JOSEPH being duly sworn, deposes and says;

I AM OVER THE AGE OF 18 YEARS AND RESIDE IN THE STATE OF NEW YORK.

That on **06/03/2008** at **9:11PM** at **14 DEKALB AVENUE % NYS Division of Parole, BROOKLYN, NY 11201**, I served the **SUMMONS AMENDED COMPLAINT JUDGES RULES** upon **JOHN MARTINEZ** the **DEFENDANT** therein by delivering and leaving a true copy or copies of the aforementioned documents with said **DEFENDANT** personally.

Deponent describes the person served as aforesaid to the best of deponent's ability at the time and circumstances of service as follows:

SEX: **MALE**COLOR: **BROWN**HAIR: **BLACK**APP. AGE: **35**APP. HT: **5'10**APP. WT: **200**

OTHER IDENTIFYING FEATURES:

That at the time of such service I knew the person so served as aforesaid to be the same person mentioned and described in the aforementioned documents as **JOHN MARTINEZ** the **DEFENDANT** in this action.

Sworn to before me on **06/17/2008**.

HARVEY TAUBER
Notary Public, State of New York
No. 01TA4667012
Qualified in BRONX
Commission Expires **12/31/2010**

WJ *for*

WILLEM JOSEPH - 1038476
AAA ATTORNEY SERVICE CO. OF NY, INC.
20 VESEY ST., ROOM 1110
NEW YORK, NY 10007
Ref#: **1ECB968763**
ER